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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

10 ADRIAN MONASTERIO, ) CASE NO. CV 11-5661-DSF (PJW)  
11 )  
12 Petitioner, )  
13 ) ORDER ACCEPTING REPORT AND  
14 v. ) RECOMMENDATION OF UNITED STATES  
15 ) MAGISTRATE JUDGE AND DENYING  
16 MAURICE JUNIOUS, WARDEN, ) CERTIFICATE OF APPEALABILITY  
17 )  
18 Respondent. )  
19 \_\_\_\_\_ )  
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22 Pursuant to 28 U.S.C. Section 636, the Court has reviewed the  
23 Petition, records on file, and the report and Recommendation of the  
24 United States Magistrate Judge. Further, the Court has engaged in a  
25 *de novo* review of those portions of the Report to which Petitioner has  
26 objected. The Court accepts the findings and recommendation of the  
27 Magistrate Judge.  
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Further, for the reasons stated in the Report and  
Recommendation, the Court finds that Petitioner has not made a  
substantial showing of the denial of a constitutional right and,  
therefore, a certificate of appealability is denied. See Rules  
Governing Section 2254 Cases in the United States District Courts,

1 Rule 11(a); 28 U.S.C. § 2253(c)(2); Fed. R. App. P. 22(b); *Miller-El*  
2 *v. Cockrell*, 537 U.S. 322, 336 (2003).

3 6/11/12

4 DATED: \_\_\_\_\_.

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8 DALE S. FISCHER  
9 UNITED STATES DISTRICT JUDGE  
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